

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Structure/Organization				
Legal/Constitutional Status	One of two basic forms of local government with general powers. (Virginia Constitution, Article VII, §1)	One of two basic forms of local government with general powers. Incorporated, independent of counties. (Virginia Constitution, Article VII, §1)	Incorporated areas of counties; part of counties. (Virginia Constitution, Article VII, §1)	N/A
Establishment	Existing counties established by General Assembly. New counties could be established and existing ones dissolved or contracted in accordance with general law. (Virginia Constitution, Article VII, §2)	Constitution recognizes cities previously incorporated as a city and existing at time of its adoption (1971). New cities may be established in accordance with general law; must have minimum population of 5,000. However, except for cities established through consolidation, there is a moratorium until July 1, 2010 on creation of new cities. (Virginia Constitution, Article VII, §§1 and 2; Code of Virginia, §15.2-3201)	Constitution recognizes towns previously incorporated as a town and existing at time of its adoption (1971). New towns may be incorporated in accordance with general law or established by special act of General Assembly; must have minimum population of 1,000. (Virginia Constitution, Article VII, §§1 and 2; Code of Virginia, §15.2-3600 et seq.)	N/A
Basis of Authority	Most counties derive all their authority from general law. However, a county may also obtain a charter from the General Assembly, giving it special authority. (Virginia Constitution, Article VII, § 3; Code of Virginia, §15.2-201)	The Code of Virginia contains general provisions granting authority to cities. However, each city has its own charter enacted by General Assembly, setting out its specific organization and powers.	The Code of Virginia contains general provisions granting authority to towns. However, each town has own charter enacted by General Assembly or granted by court, setting out its specific organization and powers.	N/A

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Boundaries	Virginia Constitution bars the change of boundaries of any county by special act. General law allows a change in county boundaries through consolidation with adjoining county, city or town. However, counties are not authorized to annex territory. Counties would experience a constriction of boundaries in instances of city annexation. However, city- initiated annexation is now barred by general law until July 1, 2010. (Virginia Constitution, Article VII, §2; Code of Virginia, §§15.2-3200 et seq. and 15.2-3500 et seq.)	Virginia Constitution bars the change of boundaries of any city by special act. General law authorizes cities to annex county territory; however, law imposes moratorium on city initiated annexations until July 1, 2010. General law allows consolidation with adjoining county, city or town. (Virginia Constitution, Article VII, §2; Code of Virginia, §§15.2-3200 et seq. and 15.2-3500 et seq.)	Virginia Constitution bars the change of boundaries of any town by special act. Towns may, under provisions of general law, annex county territory. General law also allows consolidation with adjoining county, city or town. (Virginia Constitution, Article VII, §2; Code of Virginia, §§15.2-3200 et seq. and 15.2-3500 et seq.)	N/A
Officers	Required by the Constitution to have five elected officers: treasurer, commissioner of revenue, clerk of court, sheriff, and Commonwealth's attorney. The legislature may allow two or more counties or cities to share officers or may modify the requirement for these "constitutional officers," subject to local referendum. Counties also are required to have elected governing bodies, called boards of supervisors. (Virginia Constitution, Article VII, §§4 and 5; Code of Virginia, §§15.2-102, 15.2-1400, 15.2-1600, and 15.2-1602)	Required by the Constitution to have five elected officers: treasurer, commissioner of revenue, clerk of court, sheriff, and Commonwealth's attorney. The legislature may allow two or more counties or cities to share officers or may modify the requirement for these "constitutional officers," subject to local referendum. Cities also are required to have elected governing bodies, called councils. (Virginia Constitution, Article VII, §§4 and 5; Code of Virginia, §§15.2-102, 15.2-1400, 15.2-1600, and 15.2-1602)	Required to have elected governing bodies, designated councils. The "constitutional officers" elected for a county also serve the town. (Virginia Constitution, Article VII, §§4 and 5; Code of Virginia, §§15.2-102 and 15.2-1400)	State assistance provided for five "constitutional officers," noted in the relevant Function Activity entry.

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Finance				
Incurring Debt	Authorized to issue general obligation bonds only if approved by voters in referendum, except for certain school bonds. There is no referendum required nor amount limitation imposed regarding revenue bonds. (Virginia Constitution, Article VII, §10)	Authorized to issue general obligation bonds so long as total general indebtedness does not exceed ten percent of assessed value of taxable real property; no referendum required. There is no amount limitation imposed regarding revenue bonds. (Virginia Constitution, Article VII, §10)	Authorized to issue general obligation bonds so long as total general indebtedness does not exceed ten percent of assessed value of taxable real property; no referendum required. There is no amount limitation imposed regarding revenue bonds. (Virginia Constitution, Article VII, §10)	N/A
Administration	Financial administration carried out by commissioner of revenue and treasurer. Commissioner prepares real and personal property tax books and assesses personal property and business taxes. The treasurer collects, invests, and disburses revenues. Counties operating under County Executive, Urban County Executive, and County Manager alternative form of government utilize appointed directors of finance, rather than these elected officers. (§§15.2-519 through 15.2-525, 15.2-617 through 15.2-624, 15.2-826 through 15.2-833 and 58.1-3100 et seq.)	Financial administration carried out by commissioner of revenue and treasurer. Commissioner prepares real and personal property tax books and assesses personal property and business taxes. The treasurer collects, invests, and disburses revenues. The charters of some cities have eliminated one or both of these offices and have consolidated financial administration in an office of finance, or an office with a similar title, the director of which is usually appointed by the city manager. (§§15.2-519 through 15.2-525, 15.2-617 through 15.2-624, 15.2-826 through 15.2-833, and 58.1-3100 et seq.)	Financial administration carried out by town officer or employee, as designated by charter.	State assistance provides half costs of the salaries and expenses of the Commissioners' and Treasurers' offices, as approved by the Compensation Board. The state pays one-third of the cost for furniture and equipment. Counties and cities are required to provide office space. (§15.2-1636.14)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Real Property Assessment	<p>Must be assessed at 100% of fair market value. (Virginia Constitution, Article X, § 2; Virginia Code, § 58.1-3201). Generally, property must be reassessed every four years. However, counties with population under 50,000 may choose a five or six-year reassessment cycle. Also, numerous Code exceptions allow annual or biennial reassessment. (§§58.1-3252, 58.1-3253, 58.1-3255, 58.1-3260, and 58.1-3261) General reassessment may be performed by either professional assessor or by board of assessors appointed by governing body. Several counties are authorized to establish departments of real estate assessment. (§§58.1-3271, 58.1-3275)</p>	<p>Must be assessed at 100% of fair market value. (Virginia Constitution, Article X, § 2; Virginia Code, § 58.1-3201) Generally, property must be reassessed every two years. However, cities with population under 30,000 may choose a four-year reassessment cycle. Also, numerous Code exceptions allow annual reassessment. (§§58.1-3250, 58.1-3251, 58.1-3260, and 58.1-3261) General reassessment may be performed by either professional assessor or by board of assessors appointed by governing body. City charters may assign responsibility for reassessment to specific departments. (§§58.1-3271, 58.1-3275)</p>	<p>Must be assessed at 100% of fair market value. (Virginia Constitution, Article X, § 2; Virginia Code, § 58.1-3201) Generally, property must be reassessed every four years. However, town may choose to use reassessment conducted by county and not conduct separate reassessment. (§58.1-3256) If town conducts own reassessment, it shall be conducted by board of assessors appointed by town governing body. (§58.1-3256)</p>	<p>None provided.</p>

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Education				
Public Schools	Constitution vests State Board of Education with authority to establish school divisions, subject to "such criteria and conditions as the General Assembly may prescribe." Board has established divisions along city and county lines, except in instances in which a town maintains a separate school system or a division embraces more than one county or city. (Virginia Constitution, Article VIII, §5; Virginia Code, §22.1-25) School board members for school divisions composed of single county are selected in one of three ways: by school board selection commission, by county governing body, or by popular election. (§§22.1-34 et seq., 22.1-41 et seq., and 22.1-57.1 et seq.)	Constitution vests State Board of Education with authority to establish school divisions, subject to "such criteria and conditions as the General Assembly may prescribe." With a few exceptions for some towns and city/county combinations, Board has established divisions along city and county lines. (Virginia Constitution, Article VIII, §5; Virginia Code, §22.1-25). School board members for school divisions composed of single city are selected by the city council or by popular election. (§§22.1-48 et seq. and 22.1-57.1 et seq.)	Constitution vests State Board of Education with authority to establish school divisions, subject to "such criteria and conditions as the General Assembly may prescribe." With only two exceptions, Colonial Beach and West Point, towns are included in county school divisions. (Virginia Constitution, Article VIII, §5; Virginia Code, §22.1-25)	State assistance provided in s ways. The primary means are state's share of the costs of th Standards of Quality, based o formula in which a locality's condition is a primary factor, through categorical grants. (S the Appropriation Act.)
Libraries	Authorized to establish libraries. May form regional libraries with other counties or with cities. Except for most counties operating under optional forms of government and for Chesterfield County, county libraries required to be managed by board appointed by governing body. (§§ 42.1-33 through 42.1-37)	Authorized to establish libraries. May join with other cities or with counties to form regional library. Appointment of board to manage library authorized, but not required. (§§42.1-33 through 42.1-37)	Authorized to establish libraries. Appointment of board to manage library authorized, but not required, if town has manager. (§§42.1-33 through 42.1-37)	State assistance provided, to c county and regional libraries the basis of a statutorily presc formula, which favors region systems. There is no provisio state financial assistance to tc (§42.1-48)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Public Safety				
Law Enforcement	Provided by sheriff in most counties. Counties prohibited from creating police departments unless approved in referendum and subsequently authorized by General Assembly, except for those operating under the County Executive, County Manager, and Urban County Executive alternative forms of government and those with charter provisions allowing police departments. (§§15.2-528, 15.2-632, 15.2-836, and 15.2-1702)	Provided by police departments, as authorized by charters. (§§15.2-1700 and 15.2-1701)	Provided by police departments, as authorized by charters. (§§15.2-1700 and 15.2-1701) The sheriff has a duty to enforce all criminal laws within his jurisdiction, which includes towns within the county for which he is elected. (See Op. Va. Att’y. Gen., 1981-82, 333 and 1985-1986, 255, and <i>Commonwealth v. Malbon</i> , 195 Va. 368). If town does not have police department, county sheriff may enter into agreement to provide law enforcement services to town and serve as police chief of town. By implication, these services would be more intensive than those ordinarily provided by sheriffs to the town. (§15.2-1726)	State assistance provided for cost of the salaries and other expenses of sheriffs’ offices, approved by the Compensation Board. State assistance for law enforcement is also provided cities and towns, and those counties with police departments through a statutory formula based on crime rates. (§§9-183.13 through 9-183.17, 15.2-1609.
Jails	Required to have jail; may collaborate with other counties or cities to construct regional jail. (§§53.1-71, 53.1-72, and 53.1-81)	Required to have jail; may collaborate with other counties or cities to construct regional jail. (§§53.1-71, 53.1-72, and 53.1-81)	Authorized to build own jail, but also may use the county jail. (§§15.2-1120 and 53.1-73. See 1981-82 Op. Va. Att’y Gen., 333)	State assistance provided counties, and regional entities for constructing new facilities and operating costs. State also pays salaries of those deputies authorized by Compensation Board. (§§15.2-1609.7, 53.1-1 through 53.1-95.1, the Appropriation Act)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Courts	Required to have circuit court, general district court, and juvenile and domestic relations district court. (§§16.1-69.7, 17-116.1, and 17-117)	Required to have circuit court, general district court and juvenile and domestic relations district court. Smaller cities, legally classified as "cities of the second class," are served by circuit court of surrounding county. (§§16.1-69.7, 17-116.1, and 17-117)	Not authorized to have courts; served by courts of counties in which they are located.	Funded and administered by : however, counties and cities required to provide suit able courtrooms and offices for ju and clerks. (§§15.2-1638, 16.69.44 through 16.1-69.51, an 116.3; the Appropriation Act
Community Corrections	Authorized to establish a system of community-based services and programs for convicted persons. Counties receiving state assistance for jail construction required to establish such program. (§§53.1-82.1, 53.1-180 et seq.)	Authorized to establish a system of community-based services and programs for convicted persons. Cities receiving state assistance for jail construction required to establish such program. (§§53.1-82.1, 53.1-180 et seq.)	Not authorized to establish programs.	State assistance provided thr grants. (§53.1-185.2; the Appropriation Act.)
Juvenile Justice	Authorized to construct and operate detention and other facilities and programs for juveniles. (§§16.1-228, 16.1-248.1, 16.1-309.5, 16.1-315, and 16.1-322.1)	Authorized to construct and operate detention and other facilities and programs for juveniles. (§§16.1-228, 16.1-248.1, 16.1-309.5, 16.1-315, and 16.1-322.1)	Not authorized to establish programs.	State assistance provided for constructing and operating residential facilities and for operating community-based r residential programs. (§§16.1-309.5, 16.1-309.6, 16.1-322.1 66-27)
Fire Protection	Authorized to establish fire department. (§27-6.1)	Authorized to establish fire department. (§27-6.1)	Authorized to establish fire department. (§27-6.1)	State assistance provided froi revenue generated by special on insurance premium reven (§§9-155, 9-155.1 and 38.2-4
Emergency Medical Services	Authorized to provide emergency medical services. (§32.1-111.14)	Authorized to provide emergency medical services. (§32.1-111.14)	Authorized to provide emergency medical services, if county agrees or if county does not provide the service. Otherwise, town provided service by county. (§32.1-111.14)	State assistance provided froi revenues generated by specia vehicle registration fee. (§§32.1-111.14 and 46.2-694).

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Emergency Services - Disaster Relief	Required to have director of emergency services and to prepare emergency operations plan. County may declare emergency and exercise certain emergency powers. (§§44-146.19 and 44-146.21)	Required to have director of emergency services and to prepare emergency operations plan. City may declare emergency and exercise certain emergency powers. (§§ 44-146.19 and 44-146.21)	If population over 5,000, may appoint emergency services director and exercise emergency powers in case of emergency, separate from county. (§§44-146.16, 44-146.19, and 44-146.21)	State assistance provided as portion of required match for federal disaster relief and rec grants. (§§44-142.27 and 44-146.28; the Appropriation Ac
Animal Control	Required to maintain an animal pound, or to contract with an entity for the use of such a facility. Counties required to appoint an animal control officer and enforce state dog license requirements; they also are authorized to prohibit dogs from running at large. (§§3.1-796.93, 3.1-796.96 and 3.1-796.104)	Required to maintain an animal pound, or to contract with an entity for the use of such a facility. Cities required to appoint an animal control officer and enforce state dog license requirements; they also are authorized to prohibit dogs from running at large. (§§3.1-796.93, 3.1-796.96 and 3.1-796.104)	Authorized to prohibit dogs from running at large and to appoint animal control officer; however, responsibility to enforce license requirement and operate pound rests with county. Town may use, without fee, pound maintained by county. (§§3.1-796.93, 3.1-796.96 and 3.1-796.104. See 1991 Op. Va. Att'y Gen., 18)	None provided.
Building Inspection/Code Enforcement	Required to enforce Uniform Statewide Building Code. May do so with own building department or through agreement with another county, city or town. (§36-105)	Required to enforce Uniform Statewide Building Code. May do so with own building department or through agreement with another county, city or town. (§36-105)	Towns with population in excess of 3,500 required to enforce Uniform Statewide Building Code. May do so with own building department or through agreement with another county, city or town. Towns with population under 3,500 may choose to enforce Code; otherwise, responsibility for enforcement lies with county. (§36-105)	None provided.

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Public Works				
Water Supply and Treatment	Authorized to establish water supply and treatment systems. County may provide service directly or establish an authority for such purpose. (§§15.2-2109 and 15.2-5100 et seq.)	Authorized to establish water supply and treatment systems. City may provide service directly or establish an authority for such purpose. (§§15.2-2109 and 15.2-5100 et seq.)	Authorized to establish water supply and treatment systems. Town may provide service directly or establish an authority for such purpose. (§§15.2-2109 and 15.2-5100 et seq.)	State assistance provided by l interest loans through a revol loan fund. (§62.1-233 et seq.)
Wastewater Treatment and Disposal	Authorized to establish sewage treatment collection, treatment and disposal systems. County may provide service directly or establish an authority for such purpose. (§§15.2-2122 and 15.2-5100 et seq.)	Authorized to establish sewage treatment collection, treatment and disposal systems. City may provide service directly or establish an authority for such purpose. (§§15.2-2122 and 15.2-5100 et seq.)	Authorized to establish sewage treatment collection, treatment and disposal systems. Town may provide service directly or establish an authority for such purpose. (§§15.2-2122 and 15.2-5100 et seq.)	State assistance provided by l interest loans through a revol loan fund and by grants from Virginia Water Quality Improvement Fund, from the Combined Sewer Overflow Matching Fund, and for speci projects. (§§ 10.1-2128 et sec 62.1-224 et seq.; the Appropri Act)
Solid Waste Collection and Disposal	Required to develop and implement solid waste management plan. Authorized to operate solid waste management facilities. County may provide service directly or establish an authority for such purpose. (§§10.1-1411, 15.2-928, and 15.2-5100 et seq.)	Required to develop and implement solid waste management plan. Authorized to operate solid waste management facilities. City may provide service directly or establish an authority for such purpose. (§§10.1-1411, 15.2-928, and 15.2-5100 et seq.)	Required to develop and implement solid waste management plan. Authorized to operate solid waste management facilities. Town may provide service directly or establish an authority for such purpose. Town may use county landfill. County may not charge town for such use unless both jurisdictions levy consumer utility tax and county ordinance provides that revenues from the county tax are to be used for solid waste disposal. (§§10.1-1411, 15.2-928, and 15.2-5100 et seq. See 1980-1981 Op. Va. Att'y. Gen., 397)	State assistance available for closure of landfills which we equipped with pollution conti now required by State regulat (§10.1-1413.2)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Social Services				
Social Services	Required to have department of social services (may be termed "welfare"), singly or in combination with other counties or cities. Departments provide social services such as protective services, foster care, and adoption; also administer state and federal financial assistance programs. (§63.1-59)	Required to have department of social services (may be termed "welfare"), singly or in combination with other counties or cities. Departments provide social services such as protective services, foster care, and adoption; also administer state and federal financial assistance programs. (§63.1-59)	Not authorized to provide social services; town residents utilize county departments.	State assistance provides at le 50 percent of the administrati costs of local departments. (§ 92)
Public Assistance	Authorized to establish program of general relief for persons not eligible for other forms of financial assistance. (§63.1-106.)	Authorized to establish program of general relief for persons not eligible for other forms of financial assistance. (§63.1-106.)	Not authorized to provide public assistance; town residents utilize county programs.	None provided.
Public Health	Required to establish local health department; may enter into contract with State Department of Health to operate local department. (§§32.1-30 and 32.1-31)	Required to establish local health department; may enter into contract with State Department of Health to operate local department. (§§32.1-30 and 32.1-31)	Not authorized to establish department; town residents utilize county departments.	State assistance provides 55 t percent of the costs of operati local departments.
Hospitalization for Indigents	Required to participate in State/Local Hospitalization program, which provides assistance to indigent persons for hospital expenses. (§32.1-343 et seq.)	Required to participate in State/Local Hospitalization program, which provides assistance to indigent persons for hospital expenses. (§32.1-343 et seq.)	Not authorized to participate in program; town residents utilize county program.	State assistance provides at le 75 percent of the costs of the program. (§32.1-345)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Mental Health	Required to establish, either singly or in combination with another county or city, a community services board, which shall provide mental health, mental retardation and substance abuse treatment services. (§37.1-194)	Required to establish, either singly or in combination with another county or city, a community services board, which shall provide mental health, mental retardation and substance abuse treatment services. (§37.1-194)	Not authorized to participate in program; town residents utilize county program.	State assistance provides up to 10 percent of the total costs of local programs. (§37.1-199)
Housing	Housing authority created in each county; not activated until approved by local referendum. (§§ 36-3 and 36-4)	Housing authority created in each city; not activated until approved by local referendum. (§§ 36-3 and 36-4)	Housing authority created in each town; not activated until approved by local referendum. County authority (or that of a city) may provide services in town, if town agrees. (§§ 36-3, 36-4 and 36-23)	State assistance provided for several types of housing programs (§ 36-141 et seq.)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Planning				
Comprehensive Planning	Required to appoint planning commission and to adopt a comprehensive plan. (§§15.2-2210 and 15.2-2223)	Required to appoint planning commission and to adopt a comprehensive plan. (§§15.2-2210 and 15.2-2223)	Required to appoint planning commission and to adopt a comprehensive plan. Town may designate, with consent of county, the county planning commission as the planning commission of town. County comprehensive plan may include town, but county plan may not be considered comprehensive plan for town, unless adopted as such by town council. (§§15.2-2210, 15.2-2218, 15.2-2223, and 15.2-2231)	None provided.
Zoning	Authorized to enact zoning ordinance for unincorporated areas; permitted parameters set out in state statute. (§§15.2-2280, 15.2-2281, and 15.2-2286)	Authorized to enact zoning ordinance for unincorporated areas; permitted parameters set out in state statute. (§§15.2-2280, 15.2-2281, and 15.2-2286)	Authorized to enact zoning ordinance; permitted parameters set out in state statute. County zoning ordinance does not apply to town territory. (§§15.2-2280, 15.2-2281, and 15.2-2286)	None provided.
Subdivision Regulation	Required to adopt subdivision ordinance; issues to be addressed set out in state statute. (§§15.2-2240 through 15.1-2242)	Required to adopt subdivision ordinance; issues to be addressed set out in state statute. (§§15.2-2240 through 15.1-2242)	Required to adopt subdivision ordinance; issues to be addressed set out in state statute. (§§15.2-2240 through 15.1-2242)	None provided.

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Transportation				
Highway and Street Construction	State is responsible for construction of all roads accepted into the state highway system in all counties except Arlington and Henrico, which have retained responsibility for construction of secondary highways within their jurisdictions. The latter localities are authorized to relinquish that responsibility to the state if they choose. (§§33.1-85 through 33.1-88). Any county may use local funds to supplement state construction activity. (§33.1-75.3)	Authorized to construct and control streets and highways within jurisdiction, except for interstate and primary highways. (§§15.2-2000 and 15.2-2001)	Authorized to construct and control streets and highways within jurisdiction which are not part of state highway system. However, in towns with less than 3,500, streets which constitute connecting links between roads in the secondary system are included in the secondary system. (§§15.2-2000, 15.2-2001, 33.1-42, and 33.1-67)	State is responsible for construction and control of interstate, primary, and secondary highways. (§§33.1-25, 33.1-26, 33.1-49, 33.1-67, and 33.1-69). State pays 98 per cent of cost of construction of qualifying roads in cities and in towns with a population of more than 3,500; towns with population under 3,500, state will pay entire cost of construction of qualifying roadway. (§33.1-44)
Highway and Street Maintenance	State is responsible for maintenance of all roads accepted into the state highway system in all counties except Arlington and Henrico, which have retained responsibility for maintenance of secondary highways within their jurisdiction. The latter localities are authorized to relinquish that responsibility to the State if they choose. (§§33.1-85 through 33.1-88)	Authorized to maintain streets and highways within jurisdiction, except for interstate and primary highways (§§15.2-2000 and 15.2-2001)	Authorized to maintain streets and highways within jurisdiction, except for interstate and primary highways. (§§15.2-2000 and 15.2-2001). For towns with less than 3,500 population, state will, with consent of town, incorporate into the state highway system, and maintain, those streets which constitute connecting links in the state highway system. (§§33.1-41.1 and 33.1-42)	State maintains interstate, primary and secondary highways. (§§15.2-25, 33.1-26, 33.1-49, and 33.1-69). For cities and for towns with population of 3,500 or more, state provides funds to assist in maintaining urban streets that meet state standards; payments based on number of moving lane-miles per year; rate based on cost to state of maintaining roads in counties (§33.1-41.1)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Highway Safety	Authorized to adopt ordinances, not in conflict with state law, to regulate vehicles on all public thoroughfares within boundaries. (§46.2-1300 et seq.)	Authorized to adopt ordinances, not in conflict with state law, to regulate vehicles on all public thoroughfares within boundaries. (§46.2-1300 et seq.)	Authorized to adopt ordinances, not in conflict with state law, to regulate vehicles on all public thoroughfares within boundaries. (§46.2-1300 et seq.). County ordinances are not applicable inside town if town has adopted traffic regulation ordinances. (§46.2-1311)	None provided.
Public Transportation	Authorized to operate public transportation system. (§§15.2-947, 15.2-2109 and 15.2-4504)	Authorized to operate public transportation system. (§§15.2-947, 15.2-2109 and 15.2-4504)	Authorized to operate public transportation system. (§15.2-2109)	State assistance provided thrc portions of the Transportation Trust Fund dedicated for mas transit, and from additional appropriated funds. (§§33.1-23.03:2, 58.1-638, and the Appropriation Act)
Airports	Authorized to develop and operate airport. (§5.1-31)	Authorized to develop and operate airport. (§5.1-31)	Authorized to develop and operate airport. (§5.1-31)	State assistance provided thrc portion of the Transportation Fund dedicated for airports au from other appropriated fund. Also, low interest loans are available through a revolving fund. (§§5.1-30.1 et seq., 5.1 33.1-23.03:2, 58.1-638, 58.1- and the Appropriation Act)

Functional Authority of Virginia Local Government
(Incorporates changes through the 2004 General Assembly Session)

Functional Activity	Counties	Cities	Towns*	State Financial Assistan
Other				
Elections	Required to have an electoral board and registrar, who are responsible for administering the election laws. (§§24.2-106 and 24.2-110)	Required to have an electoral board and registrar, who are responsible for administering the election laws. (§§24.2-106 and 24.2-110)	Not authorized to have separate election officials. The electoral board and registrar for a county are responsible for administering elections in town. (§24.2-601)	State assistance provided for salaries and expenses of regis and members of electoral boa (§§24.2-108 and 24.2-111)
Parks and Recreation	Authorized to establish and operate recreation programs and facilities, as well as public parks. (§15.2-1806)	Authorized to establish and operate recreation programs and facilities, as well as public parks. (§15.2-1806)	Authorized to establish and operate recreation programs and facilities, as well as public parks. (§15.2-1806)	None provided.

*Note: Towns are not territorially exclusive of counties; they are an integral part of the counties in which they are located. Whether county functions are exercised in towns from case to case. Generally, ". . .when providing a service not required by law, a county may exclude the citizens of a town." (1980-1981 Op. Va. Att'y Gen., 397) Alternately, if a function is countywide, the county must include towns in the provisions of that functional service. Whether the function is countywide is determined by the General Assembly. If only the county is named in the authorizing legislation, then the function is considered countywide; if counties and towns are both named, then the function is considered to be countywide, and the jurisdictions are to be treated separately. (See 1977-1978 Op. Va. Att'y. Gen., 131)

Staff, Commission on Local Government
May 24, 2004